

**Massachusetts Board of Registration in Embalming and Funeral Directing
Public Session Minutes
Meeting of 9/12/17**

Held at
1000 Washington Street, Boston, MA, 02118
At 10:00 a.m.
Room 1D

Board Members Present:

Patrick Driscoll
Thomas O'Donnell
Paul Phaneuf
Peter Stefan
Carolyn Lindsay

Staff Members Present:

Michael Hawley, Executive Director
Thomas Burke, Associate Executive Director
Charles Kilb, Board Counsel
Robert Williams, Investigator
Christopher Carroll, Chief Investigator
Bruce Hopper, Chief Legal Counsel

Members of the Public Present:

Francis J. Murphy
Jim Dolan
Paul Sidari
Alyssa Gagne
Michael A. Usher
Marc Gaudeau
Richard Sargeant
Jonele Bate
Fred Dello Russell
James Scopa
Ralph Barile
Andrea James
Molly Shore
Thomas Macken
John Heald

Jim Heald
Frank Joyce
Thomas Carusso
Andrew McDonald
William McDonald
Mark Cedarfield
Brendan Fahy
Paul Brasco
Brian McKinney
William Carey
Patrick Daly
Nicholas Galvagno
James Ebersole
Lauren Young

Call to Order

Mr. O'Donnell called the meeting to order at 10:08 a.m. Board staff reviewed building evacuation procedures and noted the location of restrooms.

Review of Minutes

The Board reviewed staff prepared minutes of the meeting held on August 15th, 2017.

Ms. Lindsay moved to accept staff prepared minutes of the meeting held on August 15th, 2017. Mr. Phaneuf seconded the motion. Motion passed unanimously.

Report from Executive Director Michael Hawley

In lieu of Executive Director Hawley, Associate Executive Director Thomas Burke reviewed technical issues affecting the printing of licenses. He facilitated Board discussion of current standards of training for apprentice embalmers.

Report from Legal Counsel, Charles Kilb

Attorney Kilb reviewed the amended Pre-Need Contract policies. He noted that the Board will review MFDA concerns at the October 10, 2017 Board meeting.

Report from Christopher Carroll, Chief Investigator

No report.

Discussion

National Exam Requirement

After extensive review of exam requirements, Ms. Lindsay motioned to no longer require the National Exam for Funeral Directors in the Commonwealth of Massachusetts. Mr. Driscoll seconded the motion. Board chair requested a roll call vote: Mr. Phaneuf: “No”, Mr. Stefan: “Yes”, Mr. O’Donnell: “Yes”, Mr. Driscoll: “Yes” and Ms. Lindsay: “Yes”.

Future Revisions to Continuing Education Requirements

Attorney Kilb presented a draft of proposed regulatory changes to CE requirements for Board review. After discussion, he noted that he will present a new regulatory draft of CE requirements at the October Board meeting based on Board consensus.

Continuing Education Provider Applications:

The Board reviewed the following applications:

International Order of the Golden Rule

- How to Drive Leads on Social Media: It’s not Just ‘Good Will’ Marketing

Elite Continuing Education

- It’s Not Your Father’s Funeral Home

The North American Division of the British Institute of Embalmers 2017 Conference – There’s Always A Way: New Thoughts & Techniques Equal New Skills

- Cavity Treatment

- Revisiting Cadaver Preparation – Craig Caldwell, MBIE
- You Only Have One Chance ... But Sometimes More Can Be Done
- Fluids – Standard Applications and Non-Traditional Applications That Surprisingly Work Amazingly Well
- Back to Business: Redefining Cremation in the Mind of the Consumer
- The Most Significant Details Combine to Create the Best Results in Body Preparation

The Golden Order

- How to Drive Leads on Social Media: It's Not Just 'Good Will' Marketing
- Exchanging Information Online: What's a Funeral Home to Do?

Massachusetts Funeral Director Association

- Opioid Epidemic – How Funeral Directors Can Respond
- 2018 OSHA Training

Mr. O'Donnell moved to accept all continuing education courses presented. The motion was seconded by Mr. Phaneuf. The motion passed unanimously.

Executive Session [Closed Session pursuant to M.G.L. c. 30A, §21; M.G.L. c. 4, §7 (Twenty-sixth)(1); and M.G.L. c. 66A, §§1 to 3]

At 11:34 a.m., Ms. Lindsay moved to go into executive session [Closed Session pursuant to M.G.L. c. 30A, §21(1) and M.G.L. c. 66] and Mr. Phaneuf seconded the motion. Motion passed by a roll call vote: Mr. Phaneuf: "Yes", Mr. Stefan: "Yes", Mr. O'Donnell: "Yes", Mr. Driscoll: "Yes" and Ms. Lindsay: "Yes".

See Separate minutes for Executive Session actions

Investigative Session Case, Investigative Conferences, Settlement Offers: [Closed session pursuant to M.G.L. c. 112, § 65C]

At 11:52 a.m., Mr. Phaneuf moved to suspend the open meeting and enter into investigative conference to discuss disciplinary cases and settlement offers [closed session pursuant to M.G.L. c. 112, § 65C]. The motion was seconded by Ms. Lindsay. **The motion passed unanimously.**

After the closed session the open meeting resumed.

During the closed session, the Board took the following actions:

- 2017-000774-IT-ENF - Dismissed
- 2017-000031-IT-ENF - Dismissed
- 2017-000032-IT-ENF – Dismissed
- 2016-000021-IT-ENF JH – Accepted Counter Offer

- 2017-000001-IT-ENF JH – Provided settlement guidance to the prosecutor

At 12:35 p.m. Mr. Phaneuf moved to go out of investigative session. The motion was seconded by Ms. Lindsay. **The motion passed unanimously.** Mr. O'Donnell announced that the Board would adjourn for lunch. He stated that the Board would return at approximately 1:15 p.m.

Lunch Break

At 1:15 p.m. the public session resumed.

Application Review:

Apprentice applicants - Review and vote on applications

The Board met with the following Apprentice applicants:

- Craig Drolette
- James Scopa
- Alyssa Gagne
- Molly Shore
- Lauren Young

Katherine Knowles requested a postponement of her application review.

Ms. Lindsay moved to approve the above candidates for licensure. Mr. Driscoll seconded. The motion passed unanimously.

Funeral Assistants (1st time) - Review and vote on applications

The Board met with the following initial Funeral Assistant applicants:

- Nicholas Galvagno
- Patrick D. Daly
- James Ebersole
- Paul Sidari
- Richard Sargent
- William Carey

Joseph DeWolfe and Richard McDevitt requested a postponement of their application review to the October meeting. During the review, Mr. O'Donnell clarified the requirement that the first 20 removals of dead human bodies must be done in the presence of a Type 3 or 6 registrant per 239 CMR 3.18 (4) (a) (i).

Mr. Phaneuf moved to approve the above candidates for licensure. Ms. Lindsay seconded. The motion passed unanimously.

Type 6 – Review and vote on applications

- Andrew McDonald
- Jonele Bate
- Andrea James

Mr. Phaneuf moved to approve the above candidates for licensure. Ms. Lindsay seconded. The motion passed unanimously.

Downgrade Type-6 applicants - Review and vote on applications

The Board met with the following downgrade Type-6 applicants:

- John Heald
- James Heald

Mr. Phaneuf moved to approve the above candidates for licensure. Ms. Lindsay seconded. The motion passed unanimously.

Type-3 applicant and Establishment – Review and vote on applications

- Thomas Caruso
- Roberts Mitchell Caruso Funeral Home

Mr. Phaneuf moved to approve the above candidates for licensure. Ms. Lindsay seconded. The motion passed unanimously.

Wall Certificates

- Riley-Antoine Funeral Home, Inc.

Ms. Lindsay moved to approve the above funeral establishments for licensure. Mr. Driscoll seconded. The motion passed unanimously.

License Reinstatement

- Brendan Fahy

Board Chair, Mr. O'Donnell noted that Mr. Fahy must remain enrolled at FINE Mortuary School contingent upon his registration reinstatement. Mr. Phaneuf moved to approve the above candidate for reinstatement of his license. Ms. Lindsay seconded. The motion passed unanimously.

Open session for topics not reasonably anticipated 48 hours in advance of meeting:

Mr. O'Donnell indicated that at the next meeting the Board could review possible agreements with other New England states regarding policies on performing out of state removals. The Chair, Mr. O'Donnell, announced his intention to step down as Board chair and requested a vote at the October meeting for a new Chair of the Embalming and Funeral Director Board.

Adjournment

At 2:58 p.m. Mr. Phaneuf moved to adjourn the meeting. Mr. Driscoll seconded the motion.
Motion passed unanimously.

List of Documents used at the meeting:

1. Agenda
2. Minutes from previous meeting(s) where applicable
3. Applications for personal registration
4. Continuing education provider applications
5. Wall Certificate

Respectfully submitted,



Michael Hawley
Executive Director